

*DFW*

<b>AMENDMENT TRANSMITTAL LETTER</b>			Docket No. SPINE 3.0-441 CONT
Application No. 10/667,034-Conf. #1511	Filing Date September 22, 2003	Examiner E. C. Robert	Art Unit 3733

Applicant(s): James D. Ralph, Stephen Tatar, and Thomas J. Errico

Invention: POROUS INTERVERTEBRAL DISTRACTION SPACERS

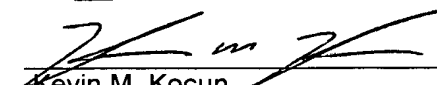
**TO THE COMMISSIONER FOR PATENTS**

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated and is transmitted as shown below.

CLAIMS AS AMENDED					
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	
Total Claims	11	- 20 =	0	x 50.00	0.00
Independent Claims	3	- 3 =	0	x 210.00	0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					
Other fee (please specify):					
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:</b>					0.00

- ☒ Large Entity ☐ Small Entity
- ☒ No additional fee is required for this amendment.
- ☐ Please charge Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_.  
A duplicate copy of this sheet is enclosed.
- ☐ A check in the amount of \$ \_\_\_\_\_ to cover the filing fee is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. 12-1095  
as described below. A duplicate copy of this sheet is enclosed.
- ☒ Credit any overpayment.
- ☒ Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.

  
Kevin M. Kocun  
Attorney/Agent Reg. No.: 54,230

Dated: January 25, 2008

LERNER, DAVID, LITTENBERG, KRUMHOLZ & MENTLIK, LLP  
600 South Avenue West  
Westfield, New Jersey 07090  
(908) 518-6383

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: January 25, 2008

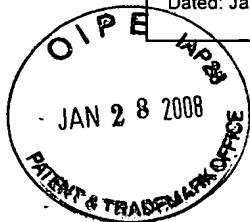
Signature:  (Kevin M. Kocun)

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: January 25, 2008

Signature:

(Kevin M. Kocun)



Docket No.: SPINE 3.0-441 CONT CONT  
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Ralph et al.

Application No.: 10/667,034

Filed: September 22, 2003

For: POROUS INTERVERTEBRAL  
DISTRACTION SPACERS

:  
:  
:  
:  
: Group Art Unit: 3733  
:  
: Examiner: E. C. Robert  
:  
:  
:

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**AMENDMENT**

Dear Sir:

In response to the Communication mailed October 1, 2007, Applicants submit the following amendments and remarks.